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August 20, 2021

The Honorable Michael A. Hammer
U.S.M.J for the District of New Jersey
Martin Luther King Bldg. & US Courthouse
50 Walnut Street, Courtroom 2C
Newark, NJ. 07101

Re: *Evans v. Newark, et al.*, 14 CV 120

Dear Judge Hammer:

In light of today's status hearing, Plaintiff reluctantly acquiesces to foregoing Senator Booker's deposition and has agreed to the City's proposal as it relates to the scope of the 30(b)(6) deposition. As such, Plaintiff respectfully asks this Court to enter an order closing fact discovery after the conclusion of the 30(b)(6) depositions.

Plaintiff's dispute with the City on these topics has been pending before this Court for well over a year. Plaintiff respectfully disagrees that he has failed to make a good faith effort to meet and confer with opposing counsel on these issues. Indeed, Plaintiff and opposing counsel have participated in numerous telephone conferences and have exchanged numerous email and letter communications on the subject matters. For his part, Plaintiff has made several concessions, including agreeing to limit Defendant Booker's deposition to a single hour and agreeing to limit the scope of time covered by the 30(b)(6) topics. Plaintiff has set out his position on these discovery disputes in formal motion papers (that this Court struck) and in status reports, letters and orally. Plaintiff had hoped that this Court would have sufficient information on which to rule on these matters.

Unfortunately, the amount of delay that will be occasioned by additional briefing as to the Booker matter, and the possibility of the Court appointing a special master to resolve the parties' dispute as to the scope of the 30(b)(6) depositions is far more prejudicial to Plaintiff than is being denied the opportunity to depose Defendant Booker or being limited in the scope of his 30(b)(6) depositions. As such, Plaintiff simply acquiesces and



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hopes that with the resolution of these issues, this nearly seven-year old case can proceed expeditiously to final resolution.

Respectfully Submitted,

/s/JENNIFER BONJEAN

cc: All parties via ECF